SENATE JOURNAL FIFTEENTH DAY

MORNING SESSION

FEBRUARY 4, 2008

The Senate was called to order at 10:05 a.m., with President John Valentine presiding.

Prayer – Reverend Handi Jo Dolloff–Holt, Trinity United Methodist Church Pledge of Allegiance – Senator Kevin Van Tassell Roll Call – All Senators present except Senator Hickman, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 8)

COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 1, 2008

The House passed, as amended, **H.B. 26**, NOTARY PUBLIC REVISIONS, by Representative G. Donnelson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 33**, WAIVERS OF IMMUNITY – EXCEPTIONS, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed **H.B. 44**, DECLARATION OF CANDIDACY REVISIONS, by Representative G. Donnelson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 65**, CRIME OF STRANGULATION OR SMOTHERING, by Representative J. Seelig, et al, and it is transmitted for consideration; and

The House passed **H.B. 144**, MOTOR VEHICLE INSURANCE AMENDMENTS, by Representative T. Kiser, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 258**, MEDICAID DRUG UTILIZATION AMENDMENTS, by Representative R. Lockhart, and it is transmitted for consideration; and

The House passed **H.B. 265**, OFFICE OF RECOVERY SERVICES – ELECTRONIC FUNDS TRANSFER, by Representative P. Ray, and it is transmitted for consideration; and

The House passed **H.J.R. 1**, RESOLUTION ADDRESSING INTERNATIONAL TRADE ISSUES, by Representative S. Allen, and it is transmitted for consideration; and

The House passed **H.J.R. 5**, JOINT RESOLUTION URGING SUPPORT OF MEDICAID LONG-TERM CARE FUNDING OF HOME AND COMMUNITY-BASED SUPPORTS, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. H.B. 26, H.B. 33, H.B. 44, H.B. 65, H.B. 144, H.B. 258, H.B. 265, H.J.R. 1, and H.J.R. 5 were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate:

February 1, 2008

The Rules Committee recommends assignment of the following bills to standing committees:

Business and labor Committee

S.B. 83 Check Cashing and Deferred Deposit Lending

Registration Act (Sen. K. Mayne)

S.B. 166 Nondiscrimination Amendments (Sen. S. McCoy)
1st Sub. H.B. 95 Document Fraud (Rep. K. Morgan) (Sen. L. Hillyard)
H.B. 99 Business Registration – Optional Inclusion of Ownership

Data (Rep. M. Wheatley) (Sen. R. Romero)

Education Committee

S.B. 91 Benefits to American Board Certified Teachers

(Sen. M. Madsen)

H.B. 67 Extended Year for Special Educators (Rep. R. Menlove)

(Sen. L. Hillyard)

H.B. 253 Higher Education Information Technology Appropriation

(Rep. S. Clark) (Sen. C. Bramble)

Government Operations and Political Subdivisions Committee

S.B. 81 Illegal Immigration (Sen. J. Hickman)

S.B. 92 Real Property Recording Amendments (Sen. D. Stowell)

H.B. 107	Emergency Management Administrative Council
H.B. 126	(Rep. C. Oda) (Sen. P. Knudson) Election Law – Ballot Proposition Amendments
п.р. 120	(Rep. C. Johnson) (Sen. M. Dayton)
H.B. 235	County Merit System Amendments (Rep. B. Dee)
11.D. 233	(Sen. J. Greiner)
	(bell. J. Greiner)
Health and Human	Services Committee
S.B. 82	Ambulatory Surgical Centers Amendments
	(Sen. A. Christensen)
S.B. 184	Child Care Licensing Exemptions (Sen. J. Greiner)
S.B. 186	Custody and Parent-time for Non-parents
	(Sen. L. Hillyard)
S.B. 188	Pilot Program for Summer School and after School
	Programs for Children with a Disability (Sen. G. Bell)
1st Sub. H.B. 47	Standards for Electronic Exchange of Clinical Health
	Information (Rep. R. Menlove) (Sen. P. Knudson)
•	forcement, and Criminal Justice Committee
S.B. 183	Child Pornography Amendment (Sen. D. C. Buttars)
S.B. 187	Bail in Capital Offense Cases (Sen. J. Greiner)
H.B. 10	Disclosure of Identity to Officer (Rep. C. Oda)
	(Sen. J. Greiner)
H.B. 12	Controlled Substances and Paraphernalia (Rep. C. Oda)
	(Sen. J. Greiner)
H.B. 14	Discharge of Firearm Amendments (Rep. C. Wimmer)
	(Sen. M. Madsen)
H.B. 46	Adoption and Termination of Parental Rights
	(Rep. S. Allen) (Sen. C. Walker)
H.B. 256	Criminal Penalties Amendments – Including Jessica's
	Law (Rep. C. Wimmer) (Sen. H. Stephenson)
	Agriculture and Environment Committee
S.B. 89	Preventing Catastrophic Wildland Fires (Sen. D. Stowell)
Damana 1 Tr. 4	: C:44
Revenue and Taxat	
S.J.R. 10	Joint Resolution Amending Constitution Regarding Taxes
II D 25	of the Elderly (Sen. G. Davis)
H.B. 35	Motor and Special Fuel Tax Amendments (Rep. C. Frank)
	(Sen. W. Niederhauser)

Transportation, Public Utilities and Technology Committee

1st Sub. H.B. 62 Clean Fuel Special Group License Plate Amendments (Rep. T. Kiser) (Sen. C. Walker)

Workforce Services and Community and Economic Development Committee

S.B. 185	Economic Incentive Revisions (Sen. L. Hillyard)
H.B. 59	Community and Economic Development Technical
	Changes (Rep. S. Mascaro) (Sen. S. Jenkins)
H.B. 64	Disclosure of Information by the Department of
	Workforce Services (Rep. P. Neuenschwander)
	(Sen. W. Niederhauser)
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H.B. 270 Utah Science Technology and Research Initiative Centers

(Rep. R. Bigelow) (Sen. L. Hillyard)

Bill Hickman

Rules Committee Chair

Report filed. On motion of Senator Killpack, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 1, 2008

The Business and Labor Committee reports a favorable recommendation on **S.B. 69**, UNIFORM LIMITED COOPERATIVE ASSOCIATION ACT, by Senator L. Hillyard, with the following amendments:

- 1. Page 14, Lines 408 through 410:
 - 408 (2) {—<u>The</u>} <u>Notwithstanding Section 48–2a–102, the</u> name of a limited cooperative association must contain the words "limited
 - 409 <u>cooperative association</u>" <u>or "limited cooperative" or the abbreviation "L.C.A." or "LCA".</u>
 - 410 "Limited" may be abbreviated as "Ltd.". "Cooperative" may be abbreviated as "Co-op" or
- 2. Page 25, Line 771 through Page 26, Line 775:
 - 771 (3) The first annual report must be delivered to the division between January 1 and
 - 772 April 1 of the year following the calendar year in which the limited cooperative association is

- 773 <u>formed or the foreign cooperative is authorized to transact business in this state.</u> {—<u>An</u> } <u>For subsequent years, an</u> <u>annual</u>
- 774 <u>report must be delivered to the division</u> {- <u>between January 1</u> <u>and April 1 of each subsequent</u>
- 775 <u>calendar year</u> } <u>during the month in which falls the anniversary of the limited cooperative association's organization or the foreign cooperative's authorization to transact business .; and</u>

The Business and Labor Committee reports a favorable recommendation on **S.B. 143**, INSURANCE FINANCIAL REQUIREMENTS, by Senator K. VanTassell; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 165**, ALCOHOLIC BEVERAGE SINGLE EVENT PERMITS, by Senator S. McCoy; and

The Business and Labor Committee reports a favorable recommendation on **H.J.R. 2**, RESOLUTION ENCOURAGING MANUFACTURED AND MOBILE HOME PARKS AS AFFORDABLE HOUSING, by Representative N. Hendrickson.

Kevin T. Van Tassell, Chair

Mr. President:

February 1, 2008

The Health and Human Services Committee reports a favorable recommendation on **H.B. 73**, CHILD CARE PROVIDERS, by Representative K. Morgan; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 82**, NOTICE OF CHANGES TO THE STATE MEDICAID PLAN, by Representative M. Newbold.

D. Chris Buttars, Chair

Mr. President:

February 1, 2008

The Education Committee reports a favorable recommendation on **H.B. 68**, EDUCATOR RELICENSURE INITIATIVE, by Representative R. Menlove; and

The Education Committee reports a favorable recommendation on **H.B. 118**, VETERANS HIGH SCHOOL DIPLOMAS, by Representative L. Hemingway; and

The Education Committee reports a favorable recommendation on **H.B. 245**, ADMINISTRATION OF MEDICATION TO STUDENTS AMENDMENTS, by Representative R. Lockhart.

Margaret Dayton, Chair

Margaret Dayton, Chan
Mr. President: The Natural Resources, Agriculture, and Environment Committee recommends S.B. 46 , ANTI–FLOW CONTROL AMENDMENTS, by Senator D. Eastman, be replaced and favorably recommends 1st Sub. S.B. 46 , ANTI–FLOW CONTROL AMENDMENTS with the following amendments:
1. Page 1, Lines 13 through 15:
13 ▶ prohibits a public entity from requiring solid waste to be stored, recovered, or
14 disposed of at a specific waste facility {-unless the public entity has physical custody
15 of the solid waste \ except in certain circumstances ;
2. Page 181, Line 181 through Page 7, Line 184:
owned or operated by a public entity if : (a) the solid waste is in the physical custody of:
182 $\left\{-\frac{\text{(a)}}{\text{(i)}}\right\}$ <u>(i)</u> the public entity; or
183 {—(b) } (ii) a person with whom the public entity has an agreement to provide solid
184 <u>waste management</u> {— <u>:</u> } <u>: or</u> (b) no other solid waste management facility exists
within:
(i) the county in which the public entity is located; or (ii) 25 miles outside the geographic boundary of the

county described in Subsection (2)(b)(i).

Darin G. Peterson, Chair

Mr. President:

February 1, 2008

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 148**, ENFORCEMENT OF FRONT LICENSE PLATE DISPLAY REQUIREMENT AMENDMENTS, by Senator S. Killpack; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 168**, HIGHWAY FUNDING AMENDMENTS, by Senator D. Stowell; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 179**, SALVAGE VEHICLE AMENDMENTS, by Senator C. Walker, with the following amendments:

- 1. Page 1, Line 17:
 - 17 {-pays off the-} issues settlement payment to the registered owner of the vehicle;
- 2. Page 2, Line 57:
 - 57 (B) {- pays off the } issues settlement payment to the registered owner of the vehicle; ; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 181**, OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS, by Senator S. Jenkins, with the following amendments:

- 1. Page 3, Lines 78 through 84:
 - 78 (2) Unless the street or highway is designated as open for off-highway vehicle use by
 - 79 the municipality or county in accordance with Section 41–22–10.5, a person may not operate an
 - 80 <u>off-highway vehicle on a street or highway in accordance with Subsection (1)(d) if the street or</u>
 - 81 <u>highway is under the jurisdiction of:</u>
 - 82 (a) a county of the first {-or second} } class:

- 83 (b) a municipality that is within a county of the first {-or second } class; or
- 84 (c) a municipality with a population of 30,000 or more people.; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 57**, TRANSPORTATION ADMINISTRATIVE RULES – CRIMINAL AND CIVIL PENALTY AMENDMENTS, by Representative T. Kiser; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 61**, DESIGNATION OF STATE HIGHWAYS AMENDMENTS, by Representative T. Kiser.

Carlene M. Walker, Chair

Mr. President:

February 1, 2008

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 18**, MATERIAL HARMFUL TO MINORS AMENDMENTS, by Representative P. Ray; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 30**, VEHICLE CONCEALING ILLEGAL ITEMS, by Representative P. Ray.

Gregory S. Bell, Chair

On motion of Senator Killpack, the committee reports were adopted. S.B. 69, as amended, S.B. 143, S.B. 165, H.J.R. 2, H.B. 73, H.B. 82, H.B. 68, H.B. 118, H.B. 245, 1st Sub. S.B. 46, as amended, S.B. 148, S.B. 168, S.B. 179, as amended, S.B. 181, as amended, H.B. 57, H.B. 61, 1st Sub. H.B. 18, and H.B. 30 were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President:

February 1, 2008

The Business and Labor Committee reports a favorable recommendation on **S.B. 163**, CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS, by Senator C. Bramble, and recommends it be considered read for the second time and placed on the Consent Calendar.

Kevin T. Van Tassell, Chair

Mr. President:

February 1, 2008

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on H.B. 249, VEHICLES COVERED BY NEW

MOTOR VEHICLE WARRANTIES, by Representative K. Gibson, and recommends it be considered read for the second time and placed on the Consent Calendar.

Darin G. Peterson, Chair

Mr. President:

February 1, 2008

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 11**, PAROLE AMENDMENTS, by Representative C. Oda, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 139**, UTAH ANTITRUST ACT AMENDMENTS, by Senator L. Hillyard, and recommends it be considered read for the second time and placed on the Consent Calendar.

Gregory S. Bell, Chair

On motion of Senator Killpack, the committee reports were adopted. **S.B. 163, H.B. 249, H.B. 11,** and **S.B. 139** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 195, **Use of Campaign Contributions** (G. Bell), read the first time by short title and referred to the Rules Committee.

COMMITTEE OF THE WHOLE

On motion of Senator Dmitrich, Jill Stevens, Miss Utah, spoke in Committee of the Whole. Senators Walker and Dmitrich commented.

On motion of Senator Dmitrich, the Committee of the Whole was dissolved.

CONSENT CALENDAR

S.B. 155, PUNITIVE DAMAGES AMENDMENTS, was read the third time, explained by Senator , and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Eastman	Fife

Day 15

Goodfellow	Greiner	Hillyard	Jenkins
Jones	Killpack	Madsen	Mayne
McCoy	Niederhauser	Peterson	Romero
Stowell	Van Tassell	Waddoups	Walker
X7.1		_	

Valentine

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Absent or not voting were: Senators

Dmitrich Hickman Knudson Stephenson

S.B. 155 was transmitted to the House for consideration.

THIRD READING CALENDAR

S.B. 68, WORKERS' COMPENSATION – DEATH BENEFITS, was read the third time, explained by Senator Mayne, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman Stephenson

S.B. 68 was transmitted to the House for consideration.

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1st Sub. S.B. 56, NATUROPATHIC PHYSICIAN LICENSING AMENDMENTS, was read the third time, explained by Senator McCoy, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard

Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman Stephenson

1st Sub. S.B. 56 was transmitted to the House for consideration.

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S.B. 62, HEALTH INSURANCE – MEDICAL COMPLICATION EXCLUSIONS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman Stephenson

S.B. 62 was transmitted to the House for consideration.

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On motion of Senator Knudson, the circle was removed from **1st Sub. S.B. 21**, CAMPAIGN FINANCE DISCLOSURE REVISIONS, and it was before the Senate. Senator Knudson explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman

Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stowell	Van Tassell
Waddoupe	Walker	Valentine	

Waddoups Walker Valentine

Absent or not voting were: Senators

Hickman Stephenson

1st Sub. S.B. 21 was transmitted to the House for consideration.

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On motion of Senator Van Tassell, the circle was removed from **1st Sub. S.B. 110**, FOREIGN BUSINESS ENTITIES AND TRIBAL LAW, and it was before the Senate. Senator Van Tassell explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators Hickman Stephenson

1st Sub. S.B. 110 was transmitted to the House for consideration.

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S.B. 66, UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT, was read the third time and explained by Senator Hillyard.

On motion of Senator Hillyard, the following substitute bill replaced the original bill:

1st Sub. S.B. 66 Uniform Emergency Volunteer Health Practitioners Act (L. Hillyard)

The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman Stephenson

1st Sub. S.B. 66 was transmitted to the House for consideration.

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1st Sub. S.B. 144, PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE, was read the third time and explained by Senator Jenkins. Senators McCoy and Romero commented and the bill passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	Niederhauser	Peterson	Stephenson
Stowell	Van Tassell	Waddoups	Walker

Valentine

Voting in the negative were: Senators

Jones McCoy Romero

Absent or not voting was: Senator

Hickman

1st Sub. S.B. 144 was transmitted to the House for consideration.

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On motion of Senator Eastman, legislative staff was authorized to draft a bill regarding liquor law amendments.

On motion of Senator Bramble, legislative staff was authorized to draft a bill regarding financial institution amendments.

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S.B. 146, AMENDMENT TO UNIFORM ANATOMICAL GIFT ACT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	Valentine

Absent or not voting was: Senator

Hickman

S.B. 146 was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 36, CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES, was read the second time. Senator Madsen explained the bill.

On motion of Senator Madsen, the following substitute bill replaced the original bill:

1st Sub. S.B. 36 Charter and Online Schools – Participation in Extracurricular Activities (M. Madsen)

Senators Hillyard, Bell, and Dayton commented. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affi	rmative were:	Senators
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Bell	Bramble	Buttars	Christensen
Dayton	Eastman	Fife	Goodfellow
Greiner	Hillyard	Jenkins	Jones
Killpack	Knudson	Madsen	Mayne
Niederhauser	Peterson	Romero	Stephenson
Van Tassell	Waddoups	Walker	

Absent or not voting were: Senators

Davis Dmitrich Hickman McCoy

Stowell Valentine

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On motion of Senator Niederhauser, the circle was removed from **S.B. 137**, MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS, and it was before the Senate. Senator Niederhauser explained the bill.

On motion of Senator Niederhauser, the following substitute bill replaced the original bill:

1st Sub. S.B. 137 Mineral Production Tax Withholding Amendments (W. Niederhauser)

On motion of Senator Niederhauser, under suspension of the rules, **1st Sub. S.B. 137**, MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS, was considered read the second and third times. Senator Niederhauser explained the bill. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Bramble	Christensen	Dayton	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman McCoy

1st Sub. S.B. 137 was transmitted to the House.

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S.B. 118, EDUCATION TRANSPORTATION AMENDMENTS, was read the second time. Senator Peterson explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Bramble	Christensen	Dayton	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell Buttars Davis Dmitrich Hickman McCoy

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On motion of Senator Niederhauser, the circle was removed from **1st Sub. H.B. 77**, PERSONAL PROPERTY TAX AMENDMENTS, and it was before the Senate.

On motion of Senator Niederhauser, the following substitute bill replaced the original bill:

2nd Sub. H.B. 77 Personal Property Tax Amendments (J. Dougall)

On motion of Senator Niederhauser, the bill was circled.

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1st Sub. S.B. 53, USE OF INITIATIVE AND REFERENDUM FOR ADMINISTRATIVE LAND USE AND ZONING MATTERS , was read the second time. Senator Goodfellow explained the bill. Senators Bell, Buttars, and Niederhauser commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting	in	the	affirmative	were:	Senators
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Bell	Bramble	Christensen	Dayton
Eastman	Fife	Goodfellow	Greiner
Hillyard	Jenkins	Jones	Killpack
Knudson	Madsen	Mayne	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars Davis Dmitrich Hickman

McCoy

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1st Sub. S.B. 54, INITIATIVE AND REFERENDUM PETITION AMENDMENTS, was read the second time. Senator Goodfellow explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Dayton
Eastman	Fife	Goodfellow	Greiner
Hillyard	Jenkins	Jones	Killpack
Knudson	Madsen	Mayne	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars Davis Dmitrich Hickman

McCoy

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S.B. 113, ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION, was read the second time. Senator Bell explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4.

Bell	Bramble	Buttars	Christensen
Dayton	Eastman	Fife	Goodfellow
Greiner	Hillyard	Jenkins	Jones

Killpack	Knudson	Madsen	Mayne
Niederhauser	Peterson	Romero	Stowell
Van Tassell	Waddoups	Walker	Valentine

Voting in the negative was: Senator

Stephenson

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Absent or not voting were: Senators

Davis Dmitrich Hickman McCoy

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S.B. 28, APPORTIONMENT OF BUSINESS INCOME, ATTRIBUTING SALES TO THE STATE, AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Dayton	Eastman	Fife	Goodfellow
Greiner	Hillyard	Jenkins	Jones
Killpack	Knudson	Madsen	Mayne
Niederhauser	Peterson	Romero	Stephenson
Stowell	Van Tassell	Waddoups	Walker

Valentine

Absent or not voting were: Senators

Davis Dmitrich Hickman McCoy

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1st Sub. S.B. 38, TRANSPARENCY IN GOVERNMENT FINANCE, was read the second time.

On motion of Senator Niederhauser, the bill was circled.

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On motion of Senator Niederhauser, under suspension of the rules, **S.B. 64**, INCOME TAX – CAPITAL GAIN TRANSACTIONS, was considered read the second and third times. Senator Niederhauser explained the bill. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Dayton	Eastman	Fife	Goodfellow
Greiner	Hillyard	Jenkins	Jones
Killpack	Knudson	Madsen	Mayne
Niederhauser	Peterson	Romero	Stephenson
Stowell	Van Tassell	Waddoups	Walker
Volentine			

Valentine

Absent or not voting were: Senators

Davis Dmitrich Hickman McCoy

S.B. 64 was transmitted to the House.

* * *

On motion of Senator Bramble and at 11:45 a.m., the Senate adjourned until 10:00 a.m., Tuesday, February 5, 2008.

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	Read the first time by short title and referred to the Rules Committee.	17
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	FEES – PUBLIC SAFETY FACILITY (G. Bell) Read the first time by short title and referred to the Rules Committee. 18 Assigned to standing committee 27
	Y THEFT AMENDMENT (C. Walker) 18 Read the first time by short title and referred to the Rules Committee. 21 Assigned to standing committee 22 Committee report adopted and placed on calendar 96 Read the second time 23 Read the third time 26 Circled 26 Uncircled 26 Amendments 26 Transmitted to the House 26
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	FE AMENDMENTS (A. Christensen) Read the first time by short title and referred to the Rules Committee. Assigned to standing committee
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	PRIVATE VENUES (M. Madsen)
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5.B. 09 UNIFOR	Read the first time by short title and referred to the Rules Committee
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	Read the first time by short title and referred to the Rules Committee
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S.B. 79	- SMALL BUSINESS ACCESS AMENDMENTS (R. Romero)	
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	ING OF SECURITY SERVICES (<i>D. Eastman</i>) Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Committee report adopted and placed on calendar	. 25
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	AL PERFORMANCE EVALUATION COMMISSION (D. C. Buttars) Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Committee report adopted and placed on calendar	. 27
	ILE CUSTODY MAINTENANCE AMENDMENTS (D. Peterson) Read the first time by short title and referred to the Rules Committee. Assigned to standing committee	. 20
	RETIREMENT BENEFIT ADDITIONS (B. Goodfellow) Read the first time by short title and referred to the Rules Committee. Assigned to standing committee.	. 20
	FOF WORKERS' COMPENSATION AND SOCIAL SECURITY (<i>J. Hickman</i>) Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Committee report adopted and placed on calendar	. 25
S.B. 109 POLL V	VORKER NEUTRALITY (S. McCoy) Read the first time by short title and referred to the Rules Committee.	. 20
	IN BUSINESS ENTITIES AND TRIBAL LAW (K. VanTassell) Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Committee report adopted and placed on calendar Read the second time Read the third time Circled Uncircled Substituted	. 25 . 71 146 170
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	Read the second and third time
	Amendments 37 Transmitted to the House 38
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	Read the first time by short title and referred to the Rules Committee
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	Read the first time by short title and referred to the Rules Committee
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S.B. 118 — EDUCA	ATION TRANSPORTATION AMENDMENTS (D. Peterson)
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S.B. 120 — DEPAR	TMENT OF CORRECTIONS EMPLOYEE VEHICLE USE (D. Peterson) Read the first time by short title and referred to the Rules Committee
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S.B. 121 ACCES	SS TO QUALIFIED HEALTH CARE PROVIDERS (D. C. Buttars)
	Read the first time by short title and referred to the Rules Committee
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S.B. 122 — UNIFO	RM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT (L. Hillyard) Read the first time by short title and referred to the Rules Committee
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	Committee report adopted and placed on calendar
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IIIII	Read the first time by short title and referred to the Rules Committee
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	AND TANGIBLE PERSONAL PROPERTY (H. Stephenson) Read the first time by short title and referred to the Rules Committee	1
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	Committee report adopted and placed on calendar	6
	Read the second time 23- Circled 23-	
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	Read the first time by short title and referred to the Rules Committee	1
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	Read the first time by short title and referred to the Rules Committee. 2 Assigned to standing committee	
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	Read the first time by short title and referred to the Rules Committee. 2 Assigned to standing committee 2	
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CD 121 WACE	WITHHOLDING FOR EMPLOYEE CONTRIBUTIONS (W. Niederhauser)	,
3.B. 131 WAGE	Read the first time by short title and referred to the Rules Committee	2
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	Committee report adopted and placed on calendar	1
	Read the second time	
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S R 132 CONSI	JMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS (C. Walker)	•
5.B. 132 CONSC	Read the first time by short title and referred to the Rules Committee	2
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	Amendments	
	Committee report adopted and placed on calendar	/
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CD 124 DECID	ENTIAL MORTGAGE FRAUD ACT (S. Killpack)	•
5.D. 134 RESIDI	Read the first time by short title and referred to the Rules Committee	2
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	FACILITIES (W. Niederhauser) Read the first time by short title and referred to the Rules Committee. 2:	8 6 4

S.B. 136 — APPOR	TIONMENT OF BUSINESS INCOME AMENDMENTS (W. Niederhauser) Read the first time by short title and referred to the Rules Committee
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S.B. 137 — MINER	AL PRODUCTION TAX WITHHOLDING AMENDMENTS (W. Niederhauser) Read the first time by short title and referred to the Rules Committee
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S.B. 139 — UTAH A	ANTITRUST ACT AMENDMENTS (L. Hillyard) Read the first time by short title and referred to the Rules Committee
S.B. 140 — EDUCA	ATION ADVISORY COUNCILS (P. Jones) Read the first time by short title and referred to the Rules Committee
S.B. 141 — WATER	CONSERVANCY DISTRICT – SELECTION OF BOARD OF TRUSTEES (W. Niederhauser) Read the first time by short title and referred to the Rules Committee
S.B. 142 — HIGH S	CHOOL GRADUATION REQUIREMENTS (M. Madsen) Read the first time by short title and referred to the Rules Committee
S.B. 143 — INSUR.	ANCE FINANCIAL REQUIREMENTS (K. VanTassell) Read the first time by short title and referred to the Rules Committee
S.B. 144 — PARAM	IETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE (S. Jenkins) Read the first time by short title and referred to the Rules Committee
1st Sub. S.B. 144	- PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE (S. Jenkins) Committee report adopted and placed on calendar
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	Read the first time by short title and referred to the Rules Committee. Assigned to standing committee	91
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S.B. 154 PROTE	CCTIVE ORDER – CRIME OF INDUCING BREACH (S. McCoy)	
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SR 156 UTAH	RELOCATION ASSISTANCE ACT AMENDMENTS (L. Hillvard)	
5.D. 130 CIVIII	Read the first time by short title and referred to the Rules Committee.	72
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S.B. 162 FEDER	AL EDUCATION AGREEMENT REQUIREMENTS (M. Dayton)	
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